UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,607	04/13/2001	Peter Dam Nielsen	042933/299121	3735

826   7590   09/05/2006

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EXAMINER
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ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 09/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *16 June 2006*.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *10-33* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *10-33* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   The Examiner acknowledges Applicant's submission on 6/16/06. All pending

claims have been rejected as being obvious over prior arts in the field of word

processing. Text wrapping and customization of text flow in a word processing

document is well known in the word processing field.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

2.   Claims 31-33 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter. The claims are directed to a non-functional

descriptive material by claiming an "electromagnetic signal embodied in a carrier wave"

without providing a proper functional and structural interrelationship.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 10-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over

U.S. Patent No. 6, 209, 009 B1 (Schwartz et al.), herein referred to as Schwartz.

Referring to claim 10, Schwartz discloses a mobile terminal with a browser display means where information elements are displayed on the display of the mobile terminal (column 1, lines 17-20). Schwartz even further discloses that information elements that are displayed include elements that are longer than the width of display screen of the mobile terminal. Schwartz does disclose continuous length items and wrapped length items displayed in a menu. Schwartz discloses how text is displayed as wrapped length and text is displayed in continuous text formats in a portable device. The text elements described in Schwartz include a continuous length item presenting text in a length, which is greater than a horizontal size of the display of the portable device. Schwartz also describes text that is of wrapped length, the text being less than the horizontal size of the display. See column 1, line 37 to column 2, line 12. Although Schwartz does not disclose providing display menu options for the user to choose one of continuous length item option or wrapped length item option, it would have been obvious for one skilled in the art, at the time of the invention to provide display options that are selectable for choosing continuous length item or wrapped length item option. Schwartz has clearly taught the two elements and options of displaying text data in a portable device, where Schwartz merely has not provided these taught elements as display options in a menu. With Schwartz disclosing the desired options, and the features related to how wrapped length text and continuous length text is displayed in a display of a portable device, providing these features in a menu as a menu option have been obvious.

Referring to claims 11 and 15, Schwartz discloses that the information displayed is alphanumerical signs (Figure 7).

Referring to claims 12, 16, 29 and 32, Schwartz discloses that the continuous length element is arranged to be horizontally displayed on the mobile terminal display, where the single line represents a horizontally displayed element (column 2, lines 8-11), where the line extending past the right margin of a display represents a horizontal element. Schwartz also discloses scrolling over the mobile terminal display to allow the user to view portions of the continuous length element that are not visible on the mobile terminal display due to continuous length element extending beyond a horizontal boundary of the mobile terminal display (column 2, lines 8-12).

Referring to claims 13, 17, 30 and 33, Schwartz discloses that the wrapped element is arranged to split the elements into parts, each of the parts fitting in the size of the display and to feed parts in a vertical direction over the display, each time a length of the wrapped length element is greater than a width of the display (Schwartz, Figures 1 and column 1, lines 40-44).

Referring to claim 14, Schwartz discloses a mobile phone terminal with a browser display means where information elements are displayed on the display of the mobile terminal (column 1, lines 17-25). Schwartz discloses a display for displaying the information (column 1, lines 15-17). Schwartz even further discloses that information elements that are displayed include elements that are longer than the width of display screen of the mobile terminal. Schwartz does disclose continuous length items and wrapped length items displayed in a menu. Schwartz discloses how text is displayed as

wrapped length and text is displayed in continuous text formats in a portable device.

The text elements described in Schwartz include a continuous length item presenting

text in a length, which is greater than a horizontal size of the display of the portable

device. Schwartz also describes text that is of wrapped length, the text being less than

the horizontal size of the display. See column 1, line 37 to column 2, line 12. Although

Schwartz does not disclose providing display menu options for the user to choose one

of continuous length item option or wrapped length item option, it would have been

obvious for one skilled in the art, at the time of the invention to provide display options

that are selectable for choosing continuous length item or wrapped length item option.

Schwartz has clearly taught the two elements and options of displaying text data in a

portable device, where Schwartz merely has not provided these taught elements as

display options in a menu. With Schwartz disclosing the desired options, and the

features related to how wrapped length text and continuous length text is displayed in a

display of a portable device, providing these features in a menu as a menu option have

been obvious.

Referring to claim 18, Schwartz discloses a mobile phone terminal for displaying

information via a browser (column 1, lines 17-25). Schwartz discloses a display for

displaying the information (column 1, lines 15-17). Schwartz even further discloses that

information elements that are displayed include elements that are longer than the width

of display screen of the mobile terminal. Schwartz does disclose continuous length

items and wrapped length items displayed in a menu. Schwartz discloses how text is

displayed as wrapped length and text is displayed in continuous text formats in a

portable device. The text elements described in Schwartz include a continuous length

item presenting text in a length, which is greater than a horizontal size of the display of

the portable device. Schwartz also describes text that is of wrapped length, the text

being less than the horizontal size of the display. See column 1, line 37 to column 2,

line 12. Although Schwartz does not disclose providing display menu options for the

user to choose one of continuous length item option or wrapped length item option, it

would have been obvious for one skilled in the art, at the time of the invention to provide

display options that are selectable for choosing continuous length item or wrapped

length item option. Schwartz has clearly taught the two elements and options of

displaying text data in a portable device, where Schwartz merely has not provided these

taught elements as display options in a menu. With Schwartz disclosing the desired

options, and the features related to how wrapped length text and continuous length text

is displayed in a display of a portable device, providing these features in a menu as a

menu option have been obvious.

Referring to claims 19-27, Schwartz and NEDIT discloses displaying the menu

structure by the interface on the mobile terminal, where allowing a user to select from

the menu having one of continuous length item and the wrapped length item by

providing an input choosing one of the options through the display menu for indicating

the selection of one of the continuous length item and the wrapped length item (NEDIT,

page 33, lines 11-18). NEDIT discloses that these menu options allow for the user to

edit the currently displayed window, where according to the wrap options provided,

selecting one of the continuous length item and wrapped length item would lead to the

displaying of the text information according to the selection of the display option made in the Preferences menu (page 33, lines 11-18).

Referring to claim 28, Schwartz discloses a computing system including program instructions stored in a computer for execution (column 13, lines 35-45). Schwartz discloses a mobile phone terminal for displaying information via a browser (column 1, lines 17-25). Schwartz discloses a display for displaying the information (column 1, lines 15-17). Schwartz even further discloses that information elements that are displayed include elements that are longer than the width of display screen of the mobile terminal. Schwartz does disclose continuous length items and wrapped length items displayed in a menu. Schwartz discloses how text is displayed as wrapped length and text is displayed in continuous text formats in a portable device. The text elements described in Schwartz include a continuous length item presenting text in a length, which is greater than a horizontal size of the display of the portable device. Schwartz also describes text that is of wrapped length, the text being less than the horizontal size of the display. See column 1, line 37 to column 2, line 12. Although Schwartz does not disclose providing display menu options for the user to choose one of continuous length item option or wrapped length item option, it would have been obvious for one skilled in the art, at the time of the invention to provide display options that are selectable for choosing continuous length item or wrapped length item option. Schwartz has clearly taught the two elements and options of displaying text data in a portable device, where Schwartz merely has not provided these taught elements as display options in a menu. With Schwartz disclosing the desired options, and the features related to how wrapped

length text and continuous length text is displayed in a display of a portable device,
providing these features in a menu as a menu option have been obvious.

Referring to claim 31, Schwartz discloses that the mobile terminal has capabilities
for receiving an electromagnetic signal embodied in a carrier wave, wherein carrying out
the function through instructions provided (column 4, lines 10-20). Schwartz discloses a
mobile terminal with a browser display means where information elements are displayed
on the display of the mobile terminal (column 1, lines 17-20). Schwartz even further
discloses that information elements that are displayed include elements that are longer
than the width of display screen of the mobile terminal. Schwartz does disclose
continuous length items and wrapped length items displayed in a menu. Schwartz
discloses how text is displayed as wrapped length and text is displayed in continuous
text formats in a portable device. The text elements described in Schwartz include a
continuous length item presenting text in a length, which is greater than a horizontal
size of the display of the portable device. Schwartz also describes text that is of
wrapped length, the text being less than the horizontal size of the display. See column
1, line 37 to column 2, line 12. Although Schwartz does not disclose providing display
menu options for the user to choose one of continuous length item option or wrapped
length item option, it would have been obvious for one skilled in the art, at the time of
the invention to provide display options that are selectable for choosing continuous
length item or wrapped length item option. Schwartz has clearly taught the two
elements and options of displaying text data in a portable device, where Schwartz
merely has not provided these taught elements as display options in a menu. With

Schwartz disclosing the desired options, and the features related to how wrapped length

text and continuous length text is displayed in a display of a portable device, providing

these features in a menu as a menu option have been obvious.

Response to Arguments

4.   Applicant's arguments filed concerning claim rejections under 35 U.S.C. 101

have been fully considered but they are not persuasive.

According to the Interim 101 Guidelines for Subject Matter Eligibility, an

electromagnetic signal cannot be claimed. The claims must disclose functional

descriptive material in combination with an appropriate computer readable medium.

The computer readable medium must be a physical structure, not a signal, which

permits the functionality disclosed in the claims to be realized with a computer.

5.   Applicant's arguments, with respect to the rejection(s) of claim(s) 10-33 under 35

U.S.C. 103 as being unpatentable over Schwartz and "NEDIT 5.0" have been fully

considered and are persuasive. Therefore, the rejection has been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made in view of

Schwartz.

Although NEDIT may not disclose choosing an display of continuous length item,

providing these features, as display options would have been obvious over Schwartz.

With Schwartz disclosing that text elements can either displayed in continuous length

format and wrapped text length format in a portable device, it would have been obvious

to provide these clearly taught features in a menu for selection.

Conclusion

6.   Responses to this action should be submitted as per the options cited below: The

United States Patent and Trademark Office requires most patent related

correspondence to be: a) faxed to the Central Fax number (571-273-8300) b) hand

carried or delivered to the Customer Service Window (located at the Randolph Building,

401 Dulany Street, Alexandria, VA 22314), c) mailed to the mailing address set forth in

37 CFR 1.1 (e.g., P.O. Box 1450, Alexandria, VA 22313-1450), or d) transmitted to the

Office using the Office's Electronic Filing System.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Namitha Pillai whose telephone number is (571) 272-

4054. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kristine Kincaid can be reached on (571) 272-4063.

All Internet e-mail communications will be made of record in the application file.

PTO employees do not engage in Internet communications where there exists a

possibility that sensitive information could be identified or exchanged unless the record

includes a properly signed express waiver of the confidentiality requirements of 35

U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published

in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG

89.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the Group receptionist whose telephone number is

(571) 272-2100.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Namitha Pillai
Assistant Examiner
Art Unit 2173
August 30, 2006

RAYMOND J. BAYERL
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